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JAN 20 2004

EXPRESS MAIL NO. 964150909 US  
Deposited On: January 14, 2004

PATENT

OFFICE OF PETITIONS

PETITIONER'S DOCKET NO. 8403.519

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Donald E. Weder

Group Art No.: 3721

Application No.: 10/091,901

Examiner: C. Harmon

Filed: 03/04/2002

Conf. No.: 9393

For: DECORATIVE GRASS HAVING A THREE-DIMENSIONAL PATTERN AND  
METHODS FOR PRODUCING SAME

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED

JAN 27 2004

TECHNOLOGY CENTER R3700

**PETITION PURSUANT TO 37 CFR § 1.181 TO WITHDRAW HOLDING OF  
ABANDONMENT ON THE BASIS THAT PROPER REPLY TO OUTSTANDING  
PTO REQUIREMENT WAS MAILED—RETURN  
POSTCARD RECEIVED**

Sir:

1. Pursuant to 37 CFR § 1.181, this petition is submitted in response to the NOTICE OF ABANDONMENT mailed December 17, 2003. The subject NOTICE advises that this application was abandoned for Applicant's failure to timely file a proper reply to the Office letter mailed on May 21, 2003, copy attached hereto as Exhibit A.

2. Applicant hereby petitions to withdraw the holding of abandonment in this case on the basis that the Response to the Office Action mailed May 21, 2003, was filed on November 12, 2003, prior to the due date (with three-month extension) of November 21, 2003.

3. The undersigned Attorney for Applicant states:

- (a) The Office Action mailed May 21, 2003 was received.
- (b) Response to the Office Action mailed May 21, 2003 was filed on November 12, 2003, prior to the due date (with three-month extension).

4. In support of this request for withdrawal of holding of abandonment, the following documentation filed in the PTO on November 12, 2003, is submitted hereto as Exhibits B, C, D, E, F and G:

- (B) A copy of the Transmittal Form (1 page).
- (C) A copy of the Fee Transmittal for FY 2003 (1 page).
- (D) A copy of the Patent Application Fee Determination Record (1 page).
- (E) A copy of the Petition for Extension of Time (1 page).
- (F) A copy of the Response (5 pages).
- (G) A copy of the Returned Acknowledgment Postcard with the PTO stamped date of November 12, 2003 and a copy of Express Mail Receipt EV336511525US with the "Date-In" of 11/12/03.

5. According to MPEP 503, "[a] postcard receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt in the PTO of all the items listed thereon by the PTO." A copy of Applicant's itemized postcard supplied on November 12, 2003 shows the date of receipt. That date is November 12, 2003. Therefore, it serves as *prima facie* evidence of receipt in the PTO of all the items listed thereon.

6. The subject abandonment occurred through no fault of Applicant, and this PETITION and supporting documentation are being submitted to petition for reinstatement of the application in order to prevent undue harm.

7. The Commissioner is hereby authorized to withdraw the Petition Fee of \$130.00, as set forth in 37 CFR 1.17 (i), from Deposit Account No.04-1700. However, since this abandonment occurred through no fault of Applicant, waiver of this fee requirement is requested, if possible.

8. Please charge Deposit Account No. 04-1700 for any fee deficiency or credit this account for any overpayment for this Petition.

9. This PETITION and the enclosed documentation are being submitted by Express Mail Receipt No. EL964150909US.

10. Should anything further be required, please advise.

Respectfully submitted,

1/14/04  
Date

Richard A. Nelson  
Richard A. Nelson, Reg. No. 45,995  
DUNLAP, CODDING & ROGERS, P.C.  
1601 N.W. Expressway, Suite 1000  
Oklahoma City, Oklahoma 73118  
(405) 607-8600 - telephone  
(405) 607-8686 - telefax

Attorney for Applicant and Assignee

EXHIBIT A



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,901	03/04/2002	Donald E. Weder	8403.519	9393

7590 12/17/2003

Richard A. Nelson  
Dunlap, Coddling & Rogers, P.C.  
Suite 420  
9400 North Broadway  
Oklahoma City, OK 73114

EXAMINER

HARMON, CHRISTOPHER R

ART UNIT

PAPER NUMBER

3721

DATE MAILED: 12/17/2003

DOCKETED

*mb*

Please find below and/or attached an Office communication concerning this application or proceeding.

DUNLAP, CODDING  
& ROGERS, P.C.  
DEC 27 2003

# Notice of Abandonment

Application No.

10/091,901

Examiner

Christopher R Harmon

Applicant(s)

WEDER, DONALD E.

Art Unit

3721

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 21 May 2003.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$ \_\_\_\_\_ is insufficient. A balance of \$ \_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$ \_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$ \_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:



EUGENE KIM  
PRIMARY EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

## EXHIBIT B

APPROVED

for  
PTO DEPOSIT ACCOUNT CHARGE  
ACCOUNT #04-1700

Express Mail No. EV 336511525 US

DUNLAP, CODDING &amp; ROGERS, P.C.

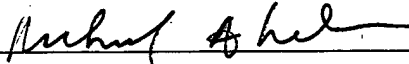
Deposited on: November 12, 2003

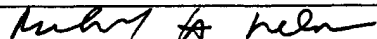
PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/091,901
	Filing Date	03/04/2002
	First Named Inventor	Donald E. Weder
	Group Art Unit	3721
	Examiner Name	C. Harmon
Total Number of Pages in This Submission	Attorney Docket Number	8403.519

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Terminal Disclaimer	See remarks below:
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Request for Refund	
	<input type="checkbox"/> CD, Number of CD(s) _____	
<b>Remarks</b> 1. Transmittal Form (1 page); 2. Fee Transmittal Form (1 page); 3. Fee Determination Record (1 page); 4. Petition for Extension of Time (1 page); 5. Response (5 pages); and 6. Return Receipt Postcard.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	DUNLAP, CODDING & ROGERS, P.C., Customer Number 30589 Attn.: Richard A. Nelson, P. O. Box 16370, Oklahoma City, Oklahoma 73113
Signature	
Date	11-12-03

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail or U.S. Express mail no. EV 336511525 US in an envelope addressed to the address below on this date: November 12, 2003			
Typed or printed name	Richard A. Nelson, Reg. 45.995		
Signature		Date	11-12-03

SEND TO: Mail Stop Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Express Mail No.:  
Date Deposited:

EV 336511525 US PTO DEPOSIT ACCOUNT CHARGE  
11/12/2003 ACCOUNT #04-1700

EXHIBIT

PTO/SB/17 (10-02)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

DUNLAP, CODDING & ROGERS, P.C.

# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 950

## Complete if Known

Application Number	10/091.901
Filing Date	03/04/2002
First Named Inventor	Donald E. Weder
Examiner Name	C. Harmon
Art Unit	3721
Attorney Docket No.	8403.519

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

04-1700

Dunlap, Coddling & Rogers, P.C.  
Customer No. 30589

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
				** =		\$0
				** =		\$0
						\$0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

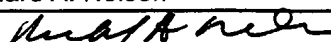
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	950
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 950

## SUBMITTED BY

Name (Print/Type)	Richard A. Nelson	Registration No. (Attorney/Agent)	45,995	Telephone	(405) 607-8600
Signature		Date	11/12/2003		

SEND TO:

Mail Stop Fee Amendment  
Commissioner for Patents  
PO Box 1450, Alexandria, VA 22313-1450

# EXHIBIT D

Express Mail No.: EV 336511525 US

Date Deposited: 11/12/2003

PTO/SB/06 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PATENT APPLICATION FEE DETERMINATION RECORD						Application or Docket Number 8403.519		
CLAIMS AS FILED - PART I						SMALL ENTITY OR OTHER THAN SMALL ENTITY		
(Column 1)		(Column 2)		(Column 3)				
FOR	NUMBER FILED	NUMBER EXTRA		RATE	FEE	RATE	FEE	
BASIC FEE (37 CFR 1.16(a))					\$ 0		\$ 0	
TOTAL CLAIMS (37 CFR 1.16(c))		minus 20 =	* 0	x \$ 9 =	0	x \$ 18 =	0	
INDEPENDENT CLAIMS (37 CFR 1.16(b))		minus 3 =	* 0	x 43 =	0	x 86 =	0	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))		0		+ 140 =	0	+ 280 =	0	
				TOTAL	0	TOTAL	0	
<small>* If the difference in column 1 is less than zero, enter "0" in column 2</small>								
CLAIMS AS AMENDED - PART II						SMALL ENTITY OR OTHER THAN SMALL ENTITY		
(Column 1)		(Column 2)		(Column 3)				
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
	Total (37 CFR 1.16(e))	* 10	Minus	** 20	= 0	x \$ 9 = 0	x \$ 18 = 0	
	Independent (37 CFR 1.16(b))	* 1	Minus	*** 3	= 0	x 43 = 0	x 86 = 0	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+ 140 = 0	+ 280 = 0		
					TOTAL	0	TOTAL	0
(Column 1)		(Column 2)		(Column 3)				
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
	Total (37 CFR 1.16(e))	*	Minus	**	=	x \$ 9 = 0	x \$ 18 = 0	
	Independent (37 CFR 1.16(b))	*	Minus	***	=	x 43 = 0	x 86 = 0	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+ 140 = 0	+ 280 = 0		
					TOTAL	0	TOTAL	0
(Column 1)		(Column 2)		(Column 3)				
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
	Total (37 CFR 1.16(e))	*	Minus	**	=	x \$ 9 = 0	x \$ 18 = 0	
	Independent (37 CFR 1.16(b))	*	Minus	***	=	x 43 = 0	x 86 = 0	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+ 140 = 0	+ 280 = 0		
					TOTAL	0	TOTAL	0
(Column 1)		(Column 2)		(Column 3)				
<small>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".  *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".  The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.</small>								

SEND TO:

Mail Stop Fee Amendment  
Commissioner For Patents, PO Box 1450  
Alexandria, VA 22313-1450

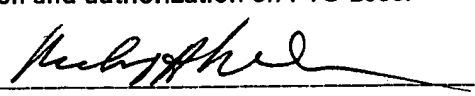


EXPRESS MAIL:  
DATE DEPOSITED:

EV 11525 US  
11/12/2003

**EXHIBIT E**

PTO/SB/22 (10-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>		Docket Number (Optional) 8403.519										
Send to: Mail Stop Fee Amend. Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450	In re Application of Donald E. Weder											
	Application Number 10/091,901	Filed 3/4/02										
	For DECORATIVE GRASS HAVING A THREE-DIMENSIONAL PATTERN AND...											
	Group Art Unit 3721	Examiner C. Harmon										
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.</p> <p>The requested extension and appropriate non-small-entity fee are as follows (check time period desired):</p> <table style="width: 100%;"><tr><td><input type="checkbox"/> One month (37 CFR 1.17(a)(1))</td><td style="text-align: right;">\$ _____</td></tr><tr><td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td><td style="text-align: right;">\$ _____</td></tr><tr><td><input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td><td style="text-align: right;">\$ 950.00</td></tr><tr><td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td><td style="text-align: right;">\$ _____</td></tr><tr><td><input type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td><td style="text-align: right;">\$ _____</td></tr></table> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ _____.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>04-1700</u>.</p> <p>I have enclosed a duplicate copy of this sheet.</p> <p>I am the <input type="checkbox"/> applicant/inventor</p> <p style="margin-left: 40px;"><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).</p> <p style="margin-left: 40px;"><input checked="" type="checkbox"/> attorney or agent of record.</p> <p style="margin-left: 40px;"><input type="checkbox"/> attorney or agent under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) _____.</p> <p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"><div style="text-align: center;"><u>11/12/03</u> Date</div><div style="text-align: center;"> Signature Richard A. Nelson, Reg. No. 45,995 _____ Typed or printed name</div></div> <p><small>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</small></p>			<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ _____	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ _____	<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ 950.00	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ _____	<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ _____
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ _____											
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ _____											
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ 950.00											
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ _____											
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ _____											
<input type="checkbox"/> Total of _____ forms are submitted.												

RECEIVED

JAN 20 2004

APPROVED

for

PTO DEPOSIT ACCOUNT CHARGE

ACCOUNT #04-1700

OFFICE OF PETITIONS

EL 964150909 US

DUNLAP, CODDING &amp; ROGERS, P.C.

Express Mail No.

Deposited on:

January 14, 2004

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

PTO/SB/21 (08-00)

#5/2pm  
3-3-04  
Ret re  
Aband.TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Application Number	10/091,901
Filing Date	03/04/2002
First Named Inventor	Donald E. Weder
Group Art Unit	3721
Examiner Name	C. Harmon
Attorney Docket Number	8403.519

Total Number of Pages in This Submission

## ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☒ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):

See remarks below:

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## Remarks

1. Transmittal Form (1 page);  
2. Fee Transmittal (1 page);  
3. Petition Pursuant to 37 CFR 1.181 To Withdraw Holding of Abandonment...with Exhibits A-G (15 pages);  
4. Change of Correspondence Address-Application (1 page); and  
4. Return Receipt Postcard.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	DUNLAP, CODDING & ROGERS, P.C., Customer Number 30589 Attn.: Richard A. Nelson, P. O. Box 16370, Oklahoma City, Oklahoma 73113
Signature	<i>Richard A. Nelson</i>
Date	1/14/04

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail or U.S. Express mail no. EL 964150909 US in an envelope addressed to the address below on this date: January 14, 2004

Typed or printed name	Richard A. Nelson, Reg. No. 45,995
Signature	<i>Richard A. Nelson</i>

Date

1/14/04

SEND TO: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

APPROVED

for

Express Mail No.: EL 964150909 US

PTO DEPOSIT ACCOUNT CHARGE

Date Deposited: 01/14/2004

ACCOUNT #04-1700

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

DUNLAP, CODDING &amp; ROGERS, P.C. U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT JAN 14 2004 (\$) 130

## Complete if Known

Application Number	10/091.901
Filing Date	03/04/2002
First Named Inventor	Donald E. Weder
Examiner Name	C. Harmon
Art Unit	3721
Attorney Docket No.	8403.519

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 04-1700

Deposit Account Name: Dunlap, Coddling & Rogers, P.C.  
Customer No. 30589

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$) 0

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	** =	X	\$0
Multiple Dependent	** =	X	\$0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
1051 130	2051 65	Surcharge - late filing fee or oath
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet
1053 130	2053 130	Non-English specification
1812 2,520	1812 2,520	For filing a request for ex parte reexamination
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action
1251 110	2251 55	Extension for reply within first month
1252 420	2252 210	Extension for reply within second month
1253 950	2253 475	Extension for reply within third month
1254 1,480	2254 740	Extension for reply within fourth month
1255 2,010	2255 1,005	Extension for reply within fifth month
1401 330	2401 165	Notice of Appeal
1402 330	2402 165	Filing a brief in support of an appeal
1403 290	2403 145	Request for oral hearing
1451 1,510	1451 1,510	Petition to institute a public use proceeding
1452 110	2452 55	Petition to revive - unavoidable
1453 1,330	2453 665	Petition to revive - unintentional
1501 1,330	2501 665	Utility issue fee (or reissue)
1502 480	2502 240	Design issue fee
1503 640	2503 320	Plant issue fee
1460 130	1460 130	Petitions to the Commissioner
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)
1806 180	1806 180	Submission of Information Disclosure Stmt
8021 40	8021 40	Recording each patent assignment per property (times number of properties)
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))
1801 770	2801 385	Request for Continued Examination (RCE)
1802 900	1802 900	Request for expedited examination of a design application

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130

Fee Paid

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130

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## SUBMITTED BY

Name (Print/Type) Richard A. Nelson

Registration No.  
(Attorney/Agent)

45,995

(Complete if applicable)

Telephone (405) 607-8600

Signature

Date 01/14/2004

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Commissioner for Patents  
PO Box 1450, Alexandria, VA 22313-1450

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Date Deposited:EL 964150909 US  
January 14, 2004 JAN 20 2004

PTO/SB/122 (10-00)

Approved for use through 10/31/2002. OMB 0651-0035  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

OFFICE OF PETITIONS

**CHANGE OF  
CORRESPONDENCE ADDRESS  
Application**

Address to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Application Number	10/091,901
Filing Date	03/04/2002
First Named Inventor	Donald E. Weder
Group Art Unit	3721
Examiner Name	C. Harmon
Attorney Docket Number	8403.519

Please change the Correspondence Address for the above-identified application to:



Customer Number

30589

Type Customer Number here

OR

Firm or  
Individual Name

Dunlap, Coddling &amp; Rogers, P.C.

Address

P. O. Box 16370

Address

City

Oklahoma City

State

OK

ZIP

73113

Country

USA

Telephone

(405) 607-8600

Fax

(405) 607-8686

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the :



Applicant/Inventor.



Assignee of record of the entire interest.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).



Attorney or Agent of record.

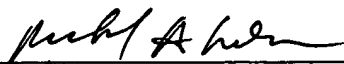


Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number.

Typed or Printed  
Name

Richard A. Nelson, Reg. No. 45,995

Signature



Date

1/14/04

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.



\*Total of \_\_\_\_\_ forms are submitted.

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